

Notice of Allowability

Application No.

09/733,304

Applicant(s)

MOORE, SAMUEL EARL

Examiner

Joseph S. Del Sole

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/17/04.
2. ☒ The allowed claim(s) is/are 1, 2 and 8.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date attached.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>5/21/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Elwood Haynes on 5/20/04.

The application has been amended as follows:

in the claims;

cancel non-elected claim 11.

The following is a complete set of the remaining claims:

Claim 1 (Previously Presented): A spinnerette assembly for forming one or more hollow fibers comprising:

a unitary spinnerette body;

at least one extrusion orifice formed in said unitary spinnerette body;

a hollow needle being affixed in a needle mounting hole formed in said unitary spinnerette body and wherein said needle mounting hole receives a portion of said hollow needle;

a hollow needle extending through each said at least one extrusion orifice in a concentric manner to define at least one annular passage around said needle in said at least one extrusion orifice;

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a bore forming fluid passage formed in said unitary spinnerette body, said bore forming fluid passage communicating with the interior of each said hollow needle, wherein each said needle mounting hole is in communication with a bore forming fluid inlet port at a surface of said unitary spinnerette body via said bore forming fluid passage. wherein said bore forming fluid passage further comprises a first bore forming fluid conduit coaxial with said needle and in communication with said needle and a second bore forming fluid conduit that extends at an angle with respect to said first bore forming fluid conduit from said bore forming fluid conduit to a surface of said unitary spinnerette body;

at least one fiber-forming material passage formed in said unitary spinnerette body, wherein each said at least one fiber-forming material passage comprises a fiber-forming material inlet port extending from a surface of said body to an interior of said body. wherein said fiber-forming material port extends substantially parallel to said extrusion orifice and at least one transverse passage extending from said fiber-forming material port to each said annular passage, wherein said transverse passage extends substantially perpendicular to said fiber-forming material port; and a bottom plate.

Claim 2 (Previously Presented): A spinnerette assembly as recited in Claim 1, wherein said transverse passage is a backcut portion of said fiber-forming material passage that entirely surrounds said needle in a continuous manner and is in communication with said extrusion orifice.

Claims 3 - 7 (cancelled).

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Claim 8 (Previously Presented): A spinnerette assembly as recited in claim 1, wherein said extrusion orifice extends through portions of said unitary spinnerette body and said bottom plate.

Claims 9 - 11 (cancelled).

Drawings

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 5, first submitted 5/17/04, must be deleted and removed from the application. The specification provides no support for Figure 5 and it previously did not exist. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

3. Claims 1-2 and 8 allowed.

4. The following is an examiner's statement of reasons for allowance: the prior art of record fails to teach or suggest the claimed apparatus as set forth in the Office action of 2/24/04.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Joseph S. Del Sole whose telephone number is (571) 272-1130. The examiner can normally be reached on Monday through Friday from 8:30 A.M. to 5:00 P.M.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wanda Walker, can be reached at (571) 272-1151. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for both non-after finals and for after finals.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on the access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Joseph S. Reed, Sr.
J.S.D.

May 21, 2004


ROBERT DAVIS
PRIMARY EXAMINER
GROUP 1300 / 1700

5/27/04